

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.

2006 OCT 26 A 10:44

CLERK *[Signature]*
S.D. DIST. OF GA.

MICHAEL ARTHUR NIXON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: CV206-071

(Case No.: CR204-14)

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Respondent's Motion to Dismiss is **DENIED**. Respondent is directed to file a brief addressing the merits of Petitioner's claim of ineffective assistance of counsel as it relates to the negotiation and acceptance of his plea agreement. Said brief shall be filed within ten days of Respondent's receipt of the sentencing hearing transcript.

SO ORDERED, this 26 day of October, 2006.

[Signature]
JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA